

Notice of Allowability

Application No.

10/717,376

Applicant(s)

KERR ET AL.

Examiner

Art Unit

Tom V. Sheng

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 9/25/2006.
2. ☒ The allowed claim(s) is/are 9,13,14,16-25 and 27-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Roland Schindler on 11/28/2006.

In the claims:

For claim 27, line 8, replace "at least one" with --the backlighting--.

Missing Drawings!

2. In the amendment of 9/25/2006, the Applicant(s) referred to an attachment of replacement drawings that were actually not attached. On the other hand, the Examiner had accepted the drawings filed on 11/19/2003, without any issue. Please respond by either sending in the replacement drawings (must not have new matter) or canceling the "replacement drawings".

Allowable Subject Matter

3. Claims 9, 13, 14, 16-25 and 27-32 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The invention is directed to a viewing device with a display that provides a backlight illumination to a transparency, an illumination of information/picture related to

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the transparency, a reader device for obtaining data stored in a tracking memory of the transparency when positioned on the display, and a control processing unit adapted to receive the data and to generate the backlight illumination and the illumination of information/picture to the display of the viewing device.

Independent claim 20 identifies, inter alia, the uniquely distinct features, "wherein the memory also stores information about light transmission characteristics of the image transparency and the control processing unit adjusts operation of the adjustable light-providing area based upon the light transmission characteristics."

Independent claim 27 identifies, inter alia, the uniquely distinct features, "wherein said obtained data comprises at least one data that indicates a transparency type, transparency color characteristics, transparency age, and transparency density adjustment curve information for adjusting the backlight illumination."

Independent claim 29 identifies, inter alia, the uniquely distinct features, "wherein the tracking memory also stores information about light transmission characteristics of the image transparency and the control processing unit adjusts the first illumination pattern based upon the light transmission characteristics."

Giesberg et al. (US 6,462,868 B1), hereinafter Giesberg, teaches a viewing station with a display panel that displays both hardcopy and digital images. A scanner or reader of the viewing station obtains data from an associated RFID tag. Based on the data, a processor of the viewing station determines the size and location of the masking region of the hardcopy for illumination and also recalls an image and displays

it. However, Giesberg does not teach adjusting the illumination according to the characteristics of the transparency, as recited above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom V. Sheng whose telephone number is (571) 272-7684. The examiner can normally be reached on 9:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Tom Sheng

AMR A. AWAD
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read "Amr A. Awad", with a large, sweeping flourish extending to the right.